

Application No.: 08/895,493  
Response under 37 C.F.R. §1.116 dated December 27, 2004  
Reply to the Office Action of August 26, 2004

### **REMARKS**

Claims 156 - 181 remain pending in the present application. Reconsideration of the claims is respectfully requested in view of the following discussion.

#### **Examiner's Interview**

The Examiner's Interview on December 15, 2004 was much appreciated. As discussed with the Examiner, independent claims 156 and 169 were amended to clarify a one-to-one correspondence between each of a plurality of utilization permit keys and at least one of different types of uses of digital data. As amended, these claims recite "supplying to a user at least one of a plurality of utilization permit keys that corresponds **only** to at least one of different types of uses of the digital data requested by the user..." Furthermore, encrypted data is decrypted using the at least one of the plurality of utilization permit keys for performance of ***only*** the requested use of the digital data. As agreed at the interview, the Examiner indicated that such an amended claim would distinguish over the cited prior art, although the Examiner may have to further review and consider the amendment. Accordingly, entry of this Amendment is respectfully requested to place the present application into condition for allowance, after the Examiner's review and consideration.

As discussed at the Interview, the Examiner asserted that **Nozawa** disclosed a relationship between a key and any function. This was based on a broad interpretation of **Nozawa's** "example" of an "algorithm controlled by a key." However, upon careful review of the specific disclosures of **Nozawa** upon which the Examiner relied for such an allegation, it was

noted that the Examiner's interpretation is simply not supported by the actual disclosures of **Nozawa**.

**Nozawa** describes "encryption and decryption functions provided in the external storage device in accordance with an algorithm controlled by a desired raw data key" (e.g., column 3, lines 5 – 7 and column 4, lines 64 – 68). The "algorithm" being referenced in this description is a cryptographic algorithm that is used to provide the encryption and decryption functions discussed in **Nozawa**. Such a cryptographic algorithm is controlled by a cryptographic key.

One of ordinary skill in the art would readily understand that there are different types of cryptographic algorithms available to perform encryption and decryption. Such cryptographic algorithms rely on cryptographic keys. Different types of cryptographic algorithms are provided for different types of cryptographic principles/systems, such as DES, triple-DES, DESX, RSA, etc. One of ordinary skill in the art would clearly understand the teachings of **Nozawa** regarding the "algorithm" to be any one of such cryptographic algorithms which would be necessary to perform encryption and decryption, all of which are controlled by a specific cryptographic key.

However, nothing in **Nozawa** teaches or suggests any concept related to associating a specific function (such as data transfer or storage) with a specific corresponding cryptographic key. Nothing in the cited prior art teaches or suggest supplying the user with a plurality of utilization keys that correspond, one-to-one, to different tasks as recited in independent claims 156 and 169.

As for **Shear**, the Examiner asserted that "**Shear** disclosed a plurality of keys related to different types of functions in order to maintain a secure environment." Again, upon careful

Application No.: 08/895,493

Response under 37 C.F.R. §1.116 dated December 27, 2004

Reply to the Office Action of August 26, 2004

review of the specific disclosures of **Shear** during the Interview, it was shown that **Shear** discloses no more than the use of a generic decryption key that is not specifically tied to any particular function once the data is decrypted. This is also clearly seen in the drawings. After authorization for database access is verified, there is no limitation on the different types of billable uses of decrypted data. Such disclosures actually *teach away* from the present claimed one-to-one correspondence between a specific utilization permit key and the at least one of different types of uses for the data. As amended, independent claims 156 and 169 specifically recite this one-to-one key/usage relationship that the Examiner indicated would distinguish over the prior art (subject, of course, to further review and consideration by the Examiner).

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Application No.: 08/895,493

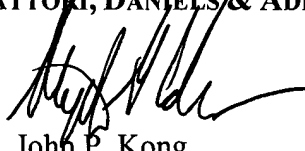
Response under 37 C.F.R. §1.116 dated December 27, 2004

Reply to the Office Action of August 26, 2004

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully Submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



John P. Kong

Attorney for Applicant

Registration No.: 40,054

*Reg. No 32,878*

JPK:kal

1250 Connecticut Avenue, Suite 700

Washington, D.C. 20036

(202) 822-1100

Q:\1999\990812\Filings\1.116 Response - December 2004.doc